

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

*Rec'd
3/23/18*

March 20, 2018

Sent Via CMRRR#: 7017 3040 0000 1256 3041

Mr. Jason Lee Van Dyke
108 Durango Dr.
Crossroads, TX 76227-2341

Re: 201707583 - Thomas C. Retzlaff - Jason Lee Van Dyke

Dear Mr. Van Dyke:

The Board of Disciplinary Appeals granted the Complainant's appeal in the above-referenced case and this matter is now classified as a Complaint. A copy of the Complaint is enclosed.

If you are represented by an attorney for this Complaint, please notify this office immediately and ask your attorney to send us a letter of representation.

You must furnish to this office a written response to the Complaint within thirty (30) days of receipt of this notice. The response should address specifically each allegation contained in the Complaint, and should further provide all information and documentation necessary for a determination of Just Cause as defined in the Texas Rules of Disciplinary Procedure.

You may mail your response to this office but the preferred method for you to deliver your response and documentation to our office is in PDF digital format. Please email the response and supporting documents to dalcdceresponses@texasbar.com. If you are including a large number of documents, over 25MB of information, please either download the supporting documents to a flash drive and mail the flash drive to this office or send the documents attached to multiple emails.

Pursuant to Rule 2.10 of the Texas Rules of Disciplinary Procedure, you are required to provide a copy of your response directly to the Complainant.

Pursuant to Rules 8.01(b) and 8.04(a)(8) of the Texas Disciplinary Rules of Professional Conduct, failure or refusal to timely furnish a response or other information requested by

the Chief Disciplinary Counsel, without timely asserting legal grounds to do so, constitutes Professional Misconduct.

Please know that the Office of the Chief Disciplinary Counsel maintains confidentiality in the grievance process as directed by the Texas Rules of Disciplinary Procedure, except that the pendency, subject matter, and status of a Disciplinary Proceeding may be disclosed by the Chief Disciplinary Counsel if the Respondent has waived confidentiality or the Disciplinary Proceeding is based upon conviction of a serious crime. The Chief Disciplinary Counsel may provide appropriate information, including the response, to law enforcement agencies, under Rule 6.08 of the Texas Rules of Disciplinary Procedure.

You will be notified in writing of further proceedings in this matter.

Sincerely,



Bill J. Reese
Senior Investigator

BJR/ml

Enclosure(s): Grievance (**Copy of Complaint**)
Copy of Complainant Notice

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

March 20, 2018

Thomas C. Retzlaff
P.O. Box 46424
Phoenix, AZ 85063-6424

Re: 201707583 - Thomas C. Retzlaff - Jason Lee Van Dyke

Dear Mr. Retzlaff:

The Board of Disciplinary Appeals has granted your appeal of the above-referenced matter. Your Grievance against the above-referenced attorney has been classified as a Complaint. The lawyer will be provided a copy of your Complaint, directed to file a response, and provide you a copy of the response within thirty (30) days of receiving notice of the Complaint. The lawyer will be provided a copy of your Complaint, directed to file a response, and provide you a copy of the response within thirty (30) days of receiving notice of the Complaint.

After receipt of the lawyer's written response, the Office of Chief Disciplinary Counsel shall investigate the Complaint to determine whether there is Just Cause to believe that the lawyer has committed Professional Misconduct or suffers from a Disability. During this time it is important that you keep us informed of any changes to your address, telephone number, or employment, and that you cooperate fully with our investigation. You will be notified in writing of further proceedings in this matter.

In compliance with the Texas Rules of Disciplinary Procedure, the Office of the Chief Disciplinary Counsel maintains confidentiality throughout the grievance process.

Sincerely,

Bill J. Reese
Senior Investigator

BJR/ml

cc: Mr. Jason Lee Van Dyke

RECEIVED

**OFFICE OF THE CHIEF DISCIPLINARY COUNSEL
STATE BAR OF TEXAS
GRIEVANCE FORM**



ONLINE FILING AVAILABLE AT <http://cdc.texasbar.com>.

12/20/2017

1. General Information

Before you fill out this paperwork, there may be a faster way to resolve the issue you are currently having with an attorney.

If you are considering filing a grievance against a Texas attorney for any of the following reasons:

- You are concerned about the progress of your case.
- Communication with your attorney is difficult.
- Your case is over or you have fired your attorney and you need documents from your file or your former attorney.

You may want to consider contacting the Client-Attorney Assistance Program (CAAP) at 1-800-932-1900.

CAAP was established by the State Bar of Texas to help people resolve these kinds of issues with attorneys quickly, without the filing of a formal grievance.

CAAP can resolve many problems without a grievance being filed by providing information, by suggesting various self-help options for dealing with the situation, or by contacting the attorney either by telephone or letter.

I have I have not X contacted the Client-Attorney Assistance Program.

If you prefer, you have the option to file your grievance online at <http://cdc.texasbar.com>.

In order for us to comply with our deadlines, additional information/documentation that you would like to include as part of your grievance submission must be received in this office by mail or fax within (10) days after submission of your grievance. This information will be added to your pending grievance. Information received after that timeframe will be returned and not considered. Thank you for your cooperation in this matter.

NOTE: Please be sure to fill out each section completely. Do not leave any section blank. If you do not know the answer to any question, write "I don't know."

II. INFORMATION ABOUT YOU -- PLEASE KEEP CURRENT

TDCJ/SID #: _____

Name: Mr./Ms. Tom Retzlaff _____

Immigration #: _____

Address: PO Box 46424 _____

City: Phoenix State: AZ Zip Code: 85063-6424

2. Employer: _____

Employer's Address: _____

City: _____ State: _____ Zip Code: _____

3. Telephone number: Residence: _____ Work: _____

Cell: (210) 317-9800 _____

4. Email: retzlaff@texas.net _____

5. Driver's License #: _____ Date of Birth: 03/14/66 _____

6. Name, address, and telephone number of person who can always reach you.

Name: _____ Address: _____

Telephone: _____

7. Do you understand and write in the English language? Yes _____

If no, what is your primary language? _____

Who helped you prepare this form? _____

Will they be available to translate future correspondence during this process? _____

8. **Are you a Judge?** No _____

If yes, please provide Court, County, City, State: _____

III. INFORMATION ABOUT ATTORNEY

Note: Grievances are not accepted against law firms. You must specifically name the attorney against whom you are complaining. A separate grievance form must be completed for each attorney against whom you are complaining.

1. Attorney name: Jason Lee Van Dyke

Address: 108 Durango Drive
Denton, TX 76227

2. Telephone number: Work: 469-964-5346 Home: _____ Other: _____

3. Have you or a member of your family filed a grievance about this attorney previously?

Yes: No: _____ If "yes", please state its approximate date and outcome: _____

Have you or a member of your family ever filed an appeal with the Board of Disciplinary Appeals about this attorney?

Yes: No: _____ If "yes", please state its approximate date and outcome: _____

4. Please check one of the following:

This attorney was **hired** to represent me.
 This attorney was **appointed** to represent me.
 This attorney was hired to represent **someone else**.

Please give the date the attorney was hired or appointed. n/a

Please state what the attorney was hired or appointed to do.

He is representing himself

5. What was your fee arrangement with the attorney? _____

How much did you pay the attorney? _____

If you signed a contract and have a copy, please attach.

If you have copies of checks and/or receipts, please attach.

Do not send originals.

6. If you did not hire the attorney, what is your connection with the attorney? Explain briefly

He is an opposing attorney

7. Are you currently represented by an attorney? No

If yes, please provide information about your current attorney:

8. Do you claim the attorney has an impairment, such as depression or a substance use disorder? If yes, please provide specifics (your **personal** observations of the attorney such as slurred speech, odor of alcohol, ingestion of alcohol or drugs in your presence etc., including the date you observed this, the time of day, and location).

Yes He is a violent person suffering from very profound mental illness that self-medicates with illegal drugs.

9. Did the attorney ever make any statements or admissions to you or in your presence that would indicate that the attorney may be experiencing an impairment, such as depression or a substance use disorder? If so, please provide details.

He said he was going to murder both me and my family, as well as murder anyone else who "interferes" with his law practice.

IV. INFORMATION ABOUT YOUR GRIEVANCE

1. Where did the activity you are complaining about occur?

County: Denton City: Denton

2. If your grievance is about a lawsuit, answer the following, if known:

a. Name of court: 377th Judicial District Court

b. Title of the suit: Jason Lee Van Dyke vs. Stephen B. Tyler

c. Case number and date suit was filed: 17-03-80810-D, filed March 24, 2017

d. If you are not a party to this suit, what is your connection with it? Explain briefly.

I am one of the individuals from whom Van Dyke was attempting to get discovery from in his Rule 202 Pre-suit Discovery petition.

If you have copies of court documents, please attach.

3. Explain in detail why you think this attorney has done something improper or has failed to do something which should have been done. Attach additional sheets of paper if necessary.

Supporting documents, such as copies of a retainer agreement, proof of payment, correspondence between you and your attorney, the case name and number if a specific case is involved, and copies of papers filed in connection with the case, may be useful to our

investigation. Do not send originals, as they will not be returned. Additionally, please do not use staples, post-it notes, or binding.

Include the names, addresses, and telephone number of all persons who know something about your grievance.

Also, please be advised that a copy of your grievance will be forwarded to the attorney named in your grievance.

Van Dyke is a crazy person who regularly gets into violent disputes with people on the internet in which Van Dyke ends up making ridiculous death threats and racists comments. Earlier this year I found out that he had gotten a job as an Assistant District Attorney for Victoria County, Texas, in charge of felony prosecutions. So I contacted Steve Tyler, the District Attorney (who I know because I live in San Antonio) and said "Do not hire this dude - he is a fucking lunatic." I then pointed out that I am convinced that Van Dyke is a drug addict who suffers from a very profound mental illegal that looks to be untreated and he regularly gets into "flame wars" and disputes with random people on the internet. I pointed out that Van Dyke is likely posting on Storm Front (a white nationalist website) as the user "WNLaw". Van Dyke has since been posting online that he is going to murder me because I am the one who cost him his job with Victoria County. He further threatens to murder my family, and many others. Unfortunately for Van Dyke, he has come up against a person who simply cannot be intimidated. You all need to disbar this retard ASAP.

On March 24, 2017, Van Dyke filed a Rule 202 Pre-suit Discover petition in the 377th District Court in Victoria County trying to uncover the reasons why he lost that job at the District Attorney's office. On June 16, 2017, the petition was denied when the judge ruling against Van Dyke pouted him out of court for being an idiot for filing such a thing to begin with.

Van Dyke's legal action was clearly in retaliation for my exercising my First Amendment rights and was in violation of the Texas Citizens Participation Act. See *In re Chris Elliott*, 504 S.W.3d 455 (tex.App. - Austin 2016, no pet.).

Van Dyke's continued public racial attacks and threats of violence against me and against so many others is a disgrace and embarrassment to the Texas State Bar.

V. HOW DID YOU LEARN ABOUT THE STATE BAR OF TEXAS' ATTORNEY GRIEVANCE PROCESS?

<u>Yellow Pages</u>	—	CAAP
<u>Internet</u>	—	Attorney
<u>Other</u>	—	Website

VI. ATTORNEY-CLIENT PRIVILEGE WAIVER

I hereby expressly waive any attorney-client privilege as to the attorney, the subject of this grievance, and authorize such attorney to reveal any information in the professional relationship to the Office of Chief Disciplinary Counsel of the State Bar of Texas.

I understand that the Office of Chief Disciplinary Counsel maintains as confidential the processing of Grievances.

I hereby swear and affirm that I am the person named in Section II, Question 1 of this form (the Complainant) and that the information provided in this complaint is true and correct to the best of my knowledge.

Signature: Electronically Signed Date: 12/20/2017

TO ENSURE PROMPT ATTENTION, THE GRIEVANCE SHOULD BE MAILED TO:

**THE OFFICE OF THE CHIEF DISCIPLINARY COUNSEL
P.O. Box 13287
Austin, TX 78711**